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August 6, 2004

MJH  
Margaret Efron, Patent Attorney

*Jew*  
INFORMATION DISCLOSURE  
STATEMENT  
Examining Group 3736  
Patent Application  
Docket No. UF-270C2  
Serial No. 10/788,501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3736  
Applicant(s) : Richard J. Melker, James Chris Sackellares, Mark S. Gold  
Serial No. : 10/788,501  
Filed : February 26, 2004  
For : System and Method for Therapeutic Drug Monitoring

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§1.97 AND 1.98

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, the applicants would like to bring to the attention of the Examiner, the references cited in the following patent applications:

U.S. Serial No. 10/054,619, filed January 22, 2002; and  
U.S. Serial No. 10/178,877, filed June 24, 2002.

The subject application, Serial No. 10/788,501, claims the benefit under 35 USC §120 of the filing dates of the above applications. The applicants respectfully request that the copies of references supplied in the Information Disclosure Statements of the above-mentioned applications, as well as the references cited during prosecution thereof, be made of record in the 10/788,501 application. As copies of all of the references filed in the parent applications, and cited on the attached form PTO/SB/08, will be found in the parent casefiles, copies of those references are not provided herewith.

The applicants respectfully assert that the substantive provisions of 37 C.F.R. §§1.97 and 1.98 are met by the foregoing statement.

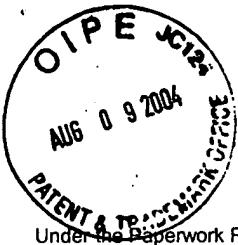
Respectfully submitted,



Margaret Efron  
Patent Attorney  
Registration No. 47,545  
Phone No.: 352-375-8100  
Fax No.: 352-372-5800  
Address: 2421 N.W. 41<sup>st</sup> Street, Suite A-1  
Gainesville, FL 32606-6669

MHE/la

Attachments: Form PTO/SB/08 (7 pages)



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/788,501
				Filing Date	February 26, 2004
				First Named Inventor	Richard J. Melker
				Art Unit	3736
				Examiner Name	
Sheet	1	of	7	Attorney Docket Number	UF-270C2

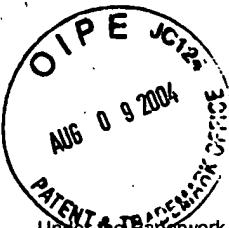
FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	F1	WO 92/10749	06-25-1992	Novapure Corporation	ALL
	F2	WO 95/31718	11-23-1995	Forschungszentrum Karlsruhe Gmbh	ALL
	F3	WO 99/12471	03-18-1999	Oridion Medical Ltd.	ALL
	F4	WO 01/34024	05-17-2001	University of Florida	ALL
	F5	WO 03/045473	06-05-2003	Mufa Ag	ALL
	F6	WO 00/67820	11-16-2000	Aneo Ab	ALL
	F7	WO 01/93743	12-13-2001	Healthetech, Inc.	ALL
	F8	WO 99/66304	12-23-1999	California Institute of Technology	ALL
	F9				
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	F11				
	F12				
	F13				
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	F19				

Examiner Signature	Date Considered
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				Art Unit	3736
				Examiner Name	
Sheet	2	of	7	Attorney Docket Number	UF-270C2

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	U1	US-3,649,199	03-14-1972	Littlejohn	ALL
	U2	US-3,792,272	02-12-1974	Harte et al.	ALL
	U3	US-3,951,607	04-20-1976	Fraser	ALL
	U4	US-4,150,670	04-24-1979	Jewett et al.	ALL
	U5	US-4,202,352	05-13-1980	Osborn	ALL
	U6	US-4,312,228	01-26-1982	Wohltjen	ALL
	U7	US-4,314,564	02-09-1982	Albarda	ALL
	U8	US-4,346,584	08-31-1982	Boehringer	ALL
	U9	US-4,361,026	11-30-1982	Muller et al.	ALL
	U10	US-4,399,686	08-23-1983	Kindlund et al.	ALL
	U11	US-4,734,777	03-29-1988	Okino et al.	ALL
	U12	US-4,735,777	04-05-1988	Mitsui et al.	ALL
	U13	US-4,796,639	01-10-1989	Snow et al.	ALL
	U14	US-4,895,017	01-23-1990	Pyke et al.	ALL
	U15	US-4,938,928	07-03-1990	Koda et al.	ALL
	U16	US-4,992,244	02-12-1991	Grate	ALL
	U17	US-5,003,985	04-02-1991	White et al.	ALL
	U18	US-5,034,192	07-23-1991	Wrighton et al.	ALL
	U19	US-5,042,501	08-27-1991	Kenny et al.	ALL
	U20	US-5,060,506	10-29-1991	Douglas	ALL
	U21	US-5,071,770	12-10-1991	Kolesar, Jr.	ALL

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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### Complete if Known

Application Number	10/788,501
Filing Date	February 26, 2004
First Named Inventor	Richard J. Melker
Art Unit	3736
Examiner Name	
Attorney Docket Number	UF-270C2

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of

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U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	U22	US-5,081,871	01-21-1992	Glaser	ALL
	U23	US-5,094,235	03-10-1992	Westenskow et al.	ALL
	U24	US-5,111,827	05-12-1992	Rantala	ALL
	U25	US-5,137,692	08-11-1992	Fritz	ALL
	U26	US-5,145,645	09-08-1992	Zakin et al.	ALL
	U27	US-5,179,027	01-12-1993	Fisher	ALL
	U28	US-5,252,292	10-12-1993	Hirata et al.	ALL
	U29	US-5,303,575	04-19-1994	Brown et al.	ALL
	U30	US-5,317,156	05-31-1994	Cooper et al.	ALL
	U31	US-5,325,704	07-05-1994	Mariani et al.	ALL
	U32	US-5,351,522	10-04-1994	Lura	ALL
	U33	US-5,425,374	06-20-1995	Ueda et al.	ALL
	U34	US-5,447,165	09-05-1995	Gustafsson	ALL
	U35	US-5,465,608	11-14-1995	Lokshin et al.	ALL
	U36	US-5,466,700	11-14-1995	Batenhorst et al.	ALL
	U37	US-5,501,212	03-26-1996	Psaros	ALL
	U38	US-5,528,924	06-25-1996	Wajid et al.	ALL
	U39	US-5,547,878	08-20-1996	Kell	ALL
	U40	US-5,558,083	09-24-1996	Bathe et al.	ALL
	U41	US-5,560,352	10-01-1996	Heim et al.	ALL
	U42	US-5,573,005	11-12-1996	Ueda et al.	ALL

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Application Number	10/788,501
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First Named Inventor	Richard J. Melker
Art Unit	3736
Examiner Name	

Attorney Docket Number

UF-270C2

### U.S. PATENT DOCUMENTS

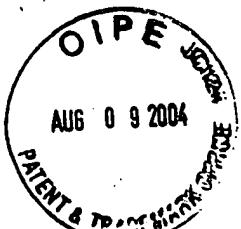
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
U43	US-5,605,612		02-25-1997	Park et al.	ALL
U44	US-5,756,879		05-26-1998	Yamagishi et al.	ALL
U45	US-5,771,890		06-30-1998	Tamada	ALL
U46	US-5,776,783		07-07-1998	Kell	ALL
U47	US-5,783,154		07-21-1998	Althainz et al.	ALL
U48	US-5,795,787		08-18-1998	Silkoff et al.	ALL
U49	US-5,830,412		11-03-1998	Kimura et al.	ALL
U50	US-5,900,552		05-04-1999	Chu et al.	ALL
U51	US-5,918,257		06-29-1999	Mifsud et al.	ALL
U52	US-5,945,069		08-31-1999	Buehler	ALL
U53	US-5,950,630		09-14-1999	Portwood et al.	ALL
U54	US-5,954,685		09-21-1999	Tierney	ALL
U55	US-5,962,335		10-05-1999	Katzman	ALL
U56	US-5,971,937		10-26-1999	Ekström	ALL
U57	US-6,010,459		01-04-2000	Silkoff et al.	ALL
U58	US-6,085,576		07-11-2000	Sunshine et al.	ALL
U59	US-6,136,801		10-24-2000	Kell	ALL
U60	US-6,180,414 B1		01-30-2001	Katzman	ALL
U61	US-6,186,977 B1		02-13-2001	Andrews et al.	ALL
U62	US-6,216,690 B1		04-17-2001	Keitel et al.	ALL
U63	US-6,244,096 B1		06-12-2001	Lewis et al.	ALL

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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/788,501
Sheet	5	of	7	Filing Date	February 26, 2004
				First Named Inventor	Richard J. Melker
				Art Unit	3736
				Examiner Name	
				Attorney Docket Number	UF-270C2

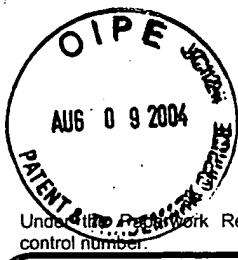
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		Number - Kind Code <sup>2</sup> (if known)			
U64		US-6,251,082 B1	06-26-2001	Rayburn I	ALL
U65		US-6,305,212 B1	10-23-2001	Drzewiecki	ALL
U66		US-6,319,724	11-20-2001	Lewis et al.	ALL
U67		US-6,328,708	12-11-2001	Georgieff	ALL
U68		US-6,341,520	01-29-2002	Satoh et al.	ALL
U69		US-6,511,453	01-28-2003	Georgieff	ALL
U70		US-6,599,281	07-29-2003	Struys et al.	ALL
U71		US-6,680,377 B1	01-20-2004	Stanton et al.	ALL
U72		US-2001/0041366	11-15-2001	Lewis et al.	ALL
U73		US-2002/0007249	01-17-2002	Cranley et al.	ALL
U74		US-2002/0014236	02-07-2002	Dittmann et al.	ALL
U75		US-2002/0017300	02-14-2002	Hickle et al.	ALL
U76		US-2002/0173729	11-21-2002	Viertio-Oja et al.	ALL
U77		US-2002/0177232	11-28-2002	Melker et al.	ALL
U78		US-2003/0008407	01-09-2003	Fu et al.	ALL
U79					
U80					
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Sheet

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Filing Date	February 26, 2004
First Named Inventor	Richard J. Melker
Group Art Unit	3736
Examiner Name	

Attorney Docket Number

UF-270C2

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R1	BRODY et al., "The use of Aptamers in Large Arrays for Molecular Diagnostics", <i>Molecular Diagnosis</i> , 1999, Vol. 4, No. 4, pp. 381-388.	
	R2	BRODY et al., "Aptamers as therapeutic and diagnostic agents", <i>Reviews in Molecular Biotechnology</i> , 2000, Vol. 74, pp. 5-13.	
	R3	CHANDIOK et al., "Screening for bacterial vaginosis: a novel application of artificial nose technology", <i>Journal of Clinical Pathology</i> , 1997, Vol. 50, No. 9, pp. 790-791.	
	R4	FANG et al., "Detection of Organic Chemicals by SAW Sensor Array", <i>Sensors and Actuators</i> , 1999, Vol. B56, pp. 155-157.	
	R5	FRAUENDORF et al., "Detection of Small Organic Analytes by Fluorescing Molecular Switches", <i>Bioorganic &amp; Medicinal Chemistry</i> 9, 2001, pp. 2521-2524.	
	R6	FUJITA et al., "A Simple method for detecting plasma propofol", <i>Anesth. Analog</i> , 2000, Vol. 90, pp. 1452-1454.	
	R7	GROVES et al., "Analyzing organic vapors in exhaled breath using a surface acoustic wave sensor array with preconcentration: Selection and characterization of the preconcentrator adsorbent", <i>Analytica Chimica Acta</i> , 1998, pp. 131-143.	
	R8	HANSON et al., "The use of a novel electronic nose to diagnose the presence of intrapulmonary infection," <i>Anesthesiology</i> , Sep. 1997, Vol. 87, No. 3A, Abstract A269	
	R9	HUANG et al., "Depth of anesthesia estimating & propofol delivery system", Aug. 1, 1996, <a href="http://www.rpi.edu/~royr/roy_descpyt.html">http://www.rpi.edu/~royr/roy_descpyt.html</a>	
	R10	JAYASENA, "Aptamers: An Emerging Class of Molecules That Rival Antibodies in Diagnostics" <i>Clinical Chemistry</i> , 1999, Vol. 45, No. 9, pp. 1628-1650.	
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	R12	KUIPERS et al., "First-pass lung uptake and pulmonary clearance of propofol," <i>Anesthesiology</i> , 1999, Vol. 91, pp. 1780-1787.	
	R13	PARRY et al., "Leg ulcer odour detection identified beta-haemolytic streptococcal infection," <i>Journal of Wound Care</i> , 1995, Vol. 4, pp. 404-406.	

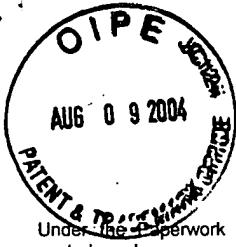
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of

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**Complete if Known**

Application Number	10/788,501
Filing Date	February 26, 2004
First Named Inventor	Richard J. Melker
Group Art Unit	3736
Examiner Name	

Attorney Docket Number

UF-270C2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R14	PHILLIPS, "Breath Tests in Medicine" <i>Scientific American</i> , 1992, pp. 52-57, XP001080159.	
	R15	STOJANOVIC et al., "Aptamer-Based Folding Fluorescent Sensor for Cocaine" <i>Journal of the American Chemistry Society</i> , 2001, Vol. 123, pp. 4928-4931.	
	R16	WOHLTJEN et al., "Determination of Partition Coefficients from Surface Acoustic Wave Vapor Sensor Responses and Correlation with Gas—Liquid Chromatographic Partition Coefficients", <i>Anal. Chem.</i> , 1988, Vol. 60, pp. 869-875.	
	R17	WOHLTJEN et al., "Surface Acoustic Wave Devices for Chemical Analysis", <i>Anal. Chem.</i> , 1989, Vol. 61, No. 11, pp. 704A-712A.	
	R18	WOHLTJEN et al., "Vapor Detection with Surface Acoustic Wave Microsensors", <i>Chemical Sensors and Microinstrumentation</i> , 1989, pp. 157-175.	
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